

On December 14, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19055. Misbranding of Emsules. U. S. v. 22 Packages of Emsules. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27239. I. S. No. 37966. S. No. 5395.)

Examination of a drug product, known as Emsules, from the shipment herein described having shown that the labeling represented that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the Eastern District of Pennsylvania.

On November 13, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 22 packages of Emsules, remaining in the original unbroken packages at Philadelphia, Pa., alleging that the article had been shipped by H. Planten & Son (Inc.), from Brooklyn, N. Y., on or about August 11, 1931, and had been transported from the State of New York into the State of Pennsylvania, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of a fatty oil, volatile oils including pennyroyal oil, savin oil, and parsley oil and a red dye.

It was alleged in the libel that the article was misbranded in that the statement, "For the treatment of Amenorrhea, Dysmenorrhea, Painful and Irregular Menstruation," regarding the curative or therapeutic effects of the said article was false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 8, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19056. Misbranding of 4-44. U. S. v. 72 Bottles of 4-44. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27215. I. S. No. 38435. S. No. 5369.)

Examination of a drug product, known as 4-44, from the shipment herein described having shown that the bottle and carton labels bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Puerto Rico.

On November 14, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 72 bottles of 4-44, alleging that the article had been shipped by the United Laboratories, Tampa, Fla., on or about September 19, 1931, to Santurce, P. R., and that it was being offered for sale and sold in Puerto Rico by Arcadio Saldana, of Santurce, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of Epsom salt (14.3 grams per 100 milliliters), and small proportions of ammonium, sodium, and potassium compounds, phosphates, salicylates, and water, sweetened with saccharin and sugar, and colored with an aniline dye.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, appearing on the bottle and carton labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "4-44 Four Forty-Four. For Forty-Four diseases—including liver, kidney and stomach troubles, * * * indigestion and influenza. Indicated in the treatment of rheumatism, coughs, * * * jaundice, sour stomach, * * * colic, heartburn, * * * headache, lazy feeling, loss of appetite. This preparation builds and purifies the blood, giving new life because of the vital elements it contains;" (carton label) "4-44 (Four Forty-Four) * * * A Marvelous Medicine For Many Maladies For * * * Influenza, Indigestion, Torpid Liver, Kidney and Bladder Diseases. Relieves a long list of ailments due to sluggish liver and disordered kidneys. Corrects disorders

due to constipation, and related symptoms: dizziness, foul breath, painful or over frequent urination, coughs, chills, fever, rheumatism, and malaria * * * contains * * * Medicinal Elements Vital to Blood Nourishment and Assimilation of Food, Good Digestion and Vitality the Medicinal Base of this Preparation begins to build you up from the first dose."

On December 14, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19057. Misbranding of 4-44. U. S. v. 23 Bottles of 4-44. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27214. I. S. No. 38430. S. No. 5368.)

Examination of a drug product, known as 4-44, from the shipment herein described having shown that the bottle and carton labels bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Puerto Rico.

On November 14, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 23 bottles of 4-44, alleging that the article had been shipped by the United Laboratories, Tampa, Fla., on or about May 9, 1931, to San Juan, P. R., and that it was being offered for sale and sold in Puerto Rico by Serra, Garabis & Co. (Inc.), of San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of Epsom salt (14.3 grams per 100 milliliters) and small proportions of ammonium, sodium and potassium compounds, phosphorus, salicylates, and water, sweetened with saccharin and sugar, and colored with an aniline dye.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, appearing on the bottle and carton labels, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle label) "4-44 Four Forty-Four For Forty-Four diseases—including liver, kidney and stomach troubles, * * * indigestion and influenza. Indicated in the treatment of rheumatism, coughs, * * * jaundice, sour stomach, * * * colic, heartburn, * * * headache, lazy feeling, loss of appetite. This preparation builds and purifies the blood, giving new life because of the vital elements it contains;" (carton label) "4-44 (Four Forty Four) * * * A Marvelous Medicine For Many Maladies For * * * Influenza, Indigestion, Torpid Liver, Kidney and Bladder Diseases. Relieves a long list of ailments due to sluggish liver and disordered kidneys. Corrects disorders due to constipation, and related symptoms: dizziness, foul breath, painful or over frequent urination, coughs, chills, fever, rheumatism, and malaria * * * Contains * * * Medicinal Elements Vital to Blood Nourishment and Assimilation of Food, Good Digestion and Vitality the Medicinal base of this Preparation begins to build you up from the first dose."

On December 14, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

19058. Misbranding of Elder Hook's healing balm. U. S. v. 69 Packages of Elder Hook's Healing Balm. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 27244. I. S. No. 38931. S. No. 5388.)

Examination of a drug product, known as Elder Hook's healing balm, from the shipment herein described having shown that the box label bore statements representing that the article possessed curative and therapeutic properties which it did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Massachusetts.

On November 14, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 69 packages of Elder Hook's healing balm, remaining in the original unbroken packages at Boston, Mass., alleging that the article had been opened by the A. Perley Fitch Co., from Concord, N. H., on or about July 22,